land for such non-forest purposes is permitted only after careful examination of the proposal and available alternatives to the project. Suitable safeguard.., inculding compensatory afforestation are stipulated in accordance with the guidelines of the Ministry while according approval to such proposals.

Violation of Forests Conservation Act in Maharashtra

1131. SHRI SOLIPETA RAMA-CHANDRA REDDY: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the details of Raigad land scam in Maharashtra where forest land was illegally acquired and later sold in the open market in violation of Forest Conservation Act; and

(b) whether the Union Government have taken any action against the erring officials of the Forest and Revenue Departments?

THE MINISTER OF ENVIRONMENT AND FORESTS (PROF. SAIFUDDIN SOZ): (a) and (b) The State Government of Maharashtra has been asked to send a detailed report in the matter on receipt of which suitable necessary action will be taken.

Preservation of Forests in Gujarat

1132 SHRI AHMED PATEL: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether some externally aided pro jects are being implemented in Gujarat for preservation of forests and forest wealth;

(b) if so, the details thereof; and

(c) the results achieved therefrom?

THE MINISTER OF ENVIRONMENT AND FORESTS (PROF. SAIFUDDIN SOZ): (a) Yes, Sir

(b) and (c) A forestry project with external financial assistance from Overseas" Economic Cooperation Fund, Japan is under implementation in Gujarat for preservation and development of forests at a cost of Rs.608 crores over a period of 6 years. The project envisages afforestation over 2,30,795 ha., distribution of 240 million seedling under farm forestry and conservation works in 24 National Parks and Wildlife Sanctuaries, besides improvement in research, technology up-gradation, and extension activities. As on 30th September, 1997, afforestation work on 99, 806 ha has been undertaken besides distribution of 115 million seedlings under farm forestry. The work under wildlife conservation component is also under progress.

"Pending Pollution Related Cases in Gujarat Courts"

1133. SHRI AMAR SINGH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government are aware that more than 1500 pollution-related cases have been gathering dust in various courts in Gujarat for last more than 15 years or so and if so, the reasons therefor;

(b) the number of such cases in other States which are pending for more than 10 years; and

(c) the remedial steps proposed to be taken for early disposal of such cases?

THE MINISTER OF ENVIRONMENT AND FORESTS (PROF. SAIF-FUDIN SOZ): (a) to (c) Information has been received from the state Pollution Control Boards. The details may please be seen in the attached Statement.

Statement

Pollution Related Cases Pending in Gujarat Courts

S.No.	Name of the States	Answer 'A'	Answer 'B'	Answer 'C
1	2	3	4	5
1.	Andhra Pradesh	NIL	NIL	NIL
2.	Assam	NA	NIL	NA
3.	Bihar	NA	23	(i) Constitution of Special Court/ Environmental Court pre-ferably only one to try cases arising out of all the special laws on environment namely, the Water (Prevention & Control of Pollution) Act, 1974; the Water (Prevention and Control of Pollution) Cess Act, 1977; the Air (Prevention and Control of Pollution) and the Environment (Protection) Act, 1986. (ii) The legal cell of the State Boards should be equipped with better infra-structure.
4.	Chandigarh	NA	NIL	Does not arise
5.	Goa	NIL	NIL	NIL
6.	Gujarat	NIL	145	(i) State Pollution Control Board has recommended to state Government to set up special courts or for assigning/transferring such cases to the senior most magistrate in cities/districts where pendency is large for poolution re-lated cases. (ii) Details about pending cases in Baroda and Surat Districts are already submitted to Gujarat High Court. (iii) The cases pending with JFMC Court, Baroda are already transferred to the court of Chief Judicial Magistrate, Baroda by an order of Session Judge, Baroda on an application by Gujarat Pollution Control Board.
7.	Haryana	NA	NIL	Two special Environment Courts have been established in Haryana State i.e. one at Faridabad and other at Hissar for the expeditious disposal of court cases.
8.	Himachal Pradesh	NIL	NIL	NIL

1	2	3	4	5
9.	J & K	NA	No cases pending	Proposal to create Environmental Courts and strengthening of panel of Advocates.
10.	Karnataka	NA	In Karnataka State there are 2 Writ Petitions pending for more than ten years in Hon'ble High Court of Karnataka. 4 Criminal cases pending for more than ten years. 4 Misc. cases pending in different JMFC Court.	Interim application for vacating stay filed
11.	Kerala	NA	No	NA
12.	Madhya Pradesh	NA	47	State Pollution Control Board had requested the court for early hearing in a number of cases. The officers of the Board attend the court regularly and timely.
13.	Maharashtra	NA	29	It has been observed that the cases filed are before the courts which are not inferior to that of MM or JMFC could not open for hearing atleast for 3 years on account of pendency of earlier cases. The cases are to be filed before the various courts throughout the area under the jurisdiction of the Regional officer/Sub-Regional officer and therefore, they have to attend various courts at remote places at Taluka level and therefore it becomes ver difficult for the officers of the Board (complainant) to pursue the cases at such places and attend day to day hearing. It has also been observed that after 3 to 5 years, when cases are matured for hearing, in most of

1	2	3	4	5
				cases, the management has changed and the respective accused persons have left their job and have joined some other organisation, without giving details of their job to the earlier company or Maharashtra Pollution Control Board. In some cases the persons in charge are even found to have left the State/Country, wherein, it is not possible to procure their attendance for years together. In such cases either for want of service or procurement of attendance of such accused persons, the court has either discharged the accused or stayed the prosecution indefinitely. It is also observed that after every 3 years the concerned officers/Complainants and witnesses are transferred and therefore, it becomes very difficult to procure attendance of such transferred officers from another region. The transfer of Judges also hampers the progress of cases. Since, all the cases are warrant trials, it requires elaborate recording of evidence before change and after change. The accused prefer appeal/revision even against not only issue of process, but also against framing of charges, convictions etc. and therefore, the decisions are delayed. Since, punishment involved is minimum 18 months imprisonment and fine and a maximum 6 years of imprisonment, the courts insist on detailed procedure as well as substantial evidence. Because of technical nature of offences under the above Environmental Laws, it becomes very difficult for the local advocates to acquaint themselves with the evidence and likewise to apprise the judges with the evi-

1	2	3	4	5
				dence. Hence it is necessary that special environmental courts or Special Judges may be entrusted with the Jurisdiction for such cases.
14.	Meghalaya	NIL	NIL	NIL
15.	Orissa	NIL	NIL	NIL
16.	Pondicherry	NA	NIL	NIL
17.	Punjab	NA	One	NA
18.	Rajasthan	NA	31 cases	For speedy disposal of pending cases the State Pollution Control Board has requested the State Govt to create a special court, only for this purpose, at Jaipur.
19.	Tamil Nadu	NA	7	Hearings are promptly attended to by the Board's officials for the early disposal of cases.
20.	Tripura	NIL	NIL	Does not arise. .
21.	Uttar Pradesh	NA	58	Special Court for the speedy trial of the pollution cases has already been established in this state and further, applications have already been moved before the Hon'ble High Court to expedite disposal.
22.	West Bengal	NA	NIL	NIL

Grants of Pattas to the Tribals in Andhra Pradesh

1134. SHRI V. HANUMANTHA RAO: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the status of grant of pattas or land rights to the tribals of Sunnal Gandi Village in Polararam Mandal in West Godavari district in Andhra Pradesh;

(b) whether it is a fact that delay is being deliberately extended;

(c) whether any effort has been made by Government and the Regional Chief Conservator of Forest, Bangalore to complete the Sunnal Gandi issue; and

(d) if not, the reasons therefor?

THE MINISTER OF ENVIRONMENT AND FORESTS (PROF. SA1FUDDIN SOZ): (a) to (c) Government of Andhra Pradesh had sent a case for regularisation of forest land occupied by the tribals of Sunnal Gandi village on 31st January, 1997. The Central Government sought certain clarification from the State Government regarding the survey of land occupied by the tribals. State Government has sent the clarification on 21.9.97 and now the case of regularisation is under process in the Central Government.

(d) Does not arise.

Improvement of Papikonda Sanctuary in Andhra Pradesh

1135. SHRI V. HANUMANTHA RAO: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether a specific representation has been received by Government to improve the Papikonda sanctuary in West Godavari district of Andhra Pradesh;